HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NO. 22073 OF 2006

Between:

Rakesh Tak

..... Petitioner

AND

Municipal Corporation of Hyderabad,
Rep. by its Commissioner,
Hyderabad & another

.....Respondents

:: J U D G M E N T::

Counsel for the petitioner : Shri J. Bharath Reddy

Dated: 26.10.2006

Per G.S.SINGHVI, CJ

In this petition, the petitioner has prayed for issue of a mandamus to the Municipal Corporation of Hyderabad to remove the alleged illegal and unauthorized construction of garage made by respondent No.2 in premises bearing Municipal No.23-4-482/4, Sultan Shahi, Hyderabad.

After arguing the case for some time, on being pointed out by the Court that a more effective remedy is available to his client by way of civil suit, learned counsel for the petitioner made a request for permission to withdraw the writ petition with liberty to his client to avail the alternative remedy of civil suit.

The request of the learned counsel is accepted and the writ petition is dismissed as withdrawn with liberty to his client to avail remedy by filing civil suit.

As a sequel to dismissal of the writ petition, W.P.M.P.No.28013 of 2006 filed by the petitioner for interim relief is also dismissed.

G.S.SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

26.10.2006
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